

**441—186.2 (234) Eligibility.** A family's eligibility for community care is established by department referral to the community care contractor.

**186.2(1) Referral indicated.** The department will refer a family for community care when the following conditions exist:

*a.* A child abuse assessment has identified a need for community care and the child abuse assessment findings are one of the following:

(1) Abuse is not confirmed, but the child is believed to be at moderate to high risk of future abuse or neglect; or

(2) Abuse is confirmed but not founded, and the child is believed to be at moderate risk of future abuse or neglect.

*b.* A family assessment has identified a need for community care, and the child is believed to be at moderate to high risk of future abuse or neglect.

*c.* The family has voluntarily agreed to be referred to community care.

**186.2(2) Referral not indicated.** The department will not refer a family for community care when:

*a.* A child has been adjudicated a child in need of assistance or a child in need of assistance petition was filed or is pending. Court orders are not used as a mechanism for families to receive community care.

*b.* Any child in the household has an open child welfare service case with the department.

*c.* The abuse occurred in an out-of-home setting.